

REMARKS

The specification has been amended as kindly noted by the Examiner. On page 14, errors referring to Figs. 10 and 11 have been corrected. It should be noted that there are only 11 figures in this application.

Claims 1, 5, 7 and 8 were objected to for various informalities.

Applicants thank the Examiner for his careful review of the claims. Applicants have made a sincere attempt to correct the errors noted by the Examiner. There is only one merged digital image file in Claim 1. Proper locations have been specified. The term "package" has been replaced by the term "package or postcard". Other than the above changes, the Examiner's interpretation of the meaning of the claims is acceptable.

Claims 1-9 were rejected under 35 USC 103(a) as being unpatentable over Lockhart et al (USP 6,732,152) in view of Fredlund et al (USP 5,666,215).

The subject matter of claim 1 will be briefly reviewed. A consumer electronically transmits a digital image(s) and demographic information to a central receiving agency. A sponsor transmits electronically at least one sponsor digital image and demographic requirements identifying consumers and recipients. Thereafter the consumer identifies a particular stored image in the memory and that identified image is merged into a digital image file. An important feature of the present invention is that two images are merged. One image is chosen by the consumer and one image is chosen by the sponsor based on the demographics of the consumer or recipient. The sponsor makes a payment to the central receiving agency for the printing and delivering of the merged digital image.

Lockhart et al when a postcard is made a single image is selected and merged with text. These images can be selected from a variety of sources. In the present invention the sponsor information is based upon demographic requirements and is not selected by the consumer. There is no such suggestion in Lockhart et al. Moreover, claim 1 requires the sponsor to make a payment. There is no suggestion or motivation in Lockhart et al for this feature. In Column 6, line 53-64, the user selects the images. These are not selected by a sponsor. In Column. 15, lines 46-63 advertising information is sent out by a commercial enterprise which in this case roughly corresponds to the sponsor in claim 1. There

Amendments to the Drawings

Replacement sheets depicting FIGS. 1-11 are submitted herewith. These drawings correct the problems kindly noted by the Examiner and also formalize those drawings which are currently on file. Approval by the Examiner is respectfully requested.

is no merger of consumer and sponsor images. Applicants fails to see how this portion of Lockhart et al in any way suggests the present invention. This is also similar to the discussion in Column 15, lines 23-Column 16, line 24.

Fredlund et al discloses scanning photographic images by a photofinisher and digitized thumbnail images are returned to the consumer. The consumer displays the thumbnails and selects the desired size and quantity of prints. The consumer sends back the order and receives the prints. There is nothing in Fredlund that would suggest anything to do with a sponsor or the merging of two images or the use of demographic information. In Fredlund et al sound information can be sent to the photofinisher to be applied to the image. This provides no motivation for the subject matter of claim 1.

It is believed that these changes now make the claims clear and definite and, if there are any problems with these changes, Applicants' attorney would appreciate a telephone call.

In view of the foregoing, it is believed none of the references, taken singly or in combination, disclose the invention set forth in claim 1. The remaining claims depend upon claim 1 and should be allowed along with it. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ray L. Owens', written over a horizontal line.

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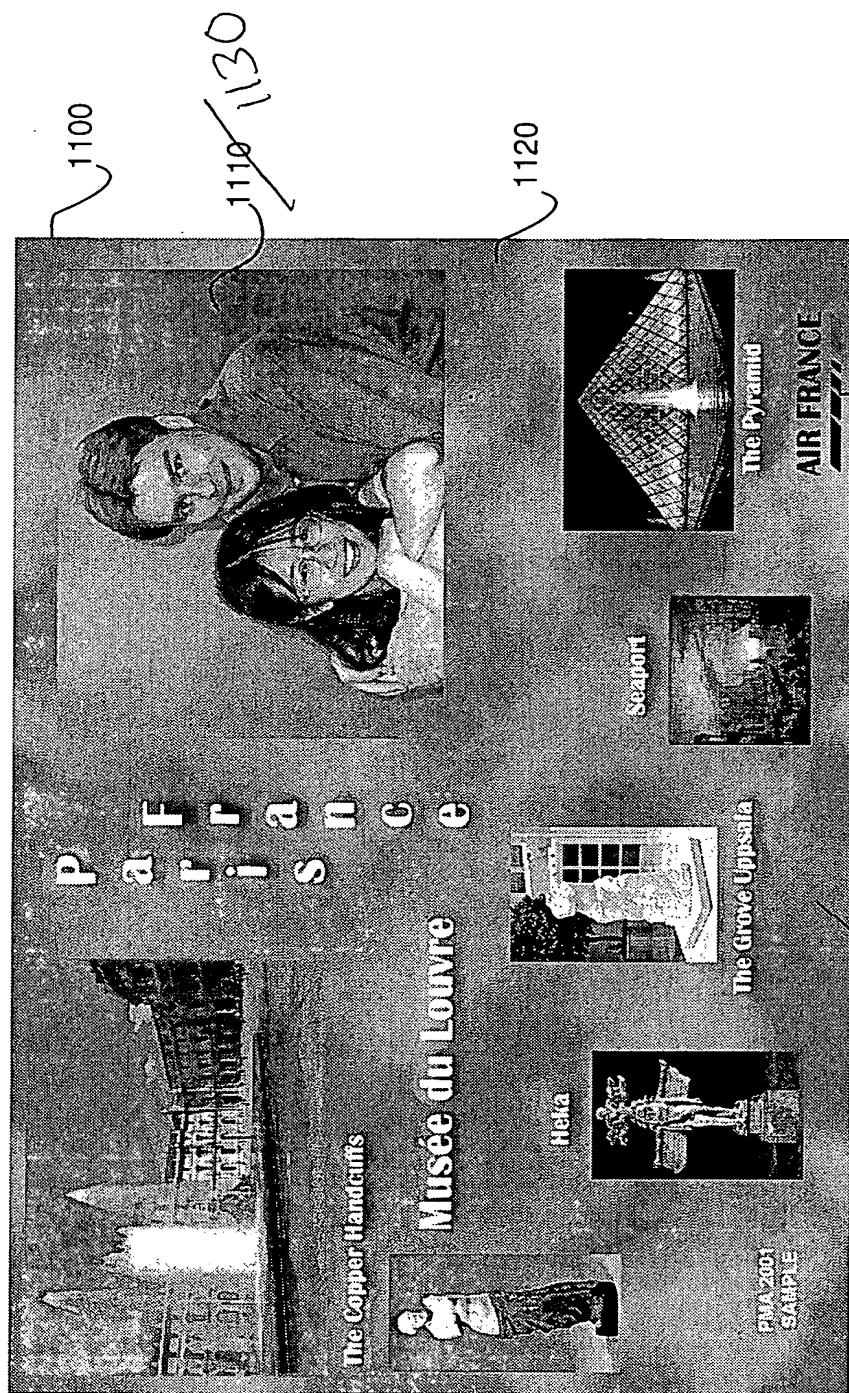


Fig. 11